IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

DOROTHY STANLEY, AS EXECUTRIX OF : THE ESTATE OF HELEN A. RUNGE, :

Plaintiff

No. 05-10849-RGS

v. : (Judge Stearns)

:

WALTER J. KELLY, et al. : CIVIL ACTION

Defendants : JURY TRIAL DEMANDED

PLAINTIFF'S NOTIFICATION OF STATE COURT'S MEDICAL MALPRACTICE TRIBUNAL'S FINDINGS AS TO DEFENDANTS SUNBRIDGE AND BLOOMINGDALE

Plaintiff hereby notifies this Honorable Court that the findings of the Medical Malpractice Tribunal, which was convened for review of the malpractice actions in this matter against Defendants Sunbridge and Bloomingdale, are that Plaintiff's evidence if properly substantiated is sufficient to raise a legitimate question of liability appropriate for judicial inquiry. *See* the Findings as to Defendants Sunbridge and Bloomingdale attached as Exhibit A.

Respectfully submitted,

LATSHA DAVIS YOHE & MCKENNA, P.C.

Dated: September 19, 2007 By /s/ Glenn R. Davis

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Pro Hac Vice

Blake J. Godbout, BBO #196380 BLAKE J. GODBOUT & ASSOCIATES 33 Broad Street, 11th Floor Boston, MA 02109 (617) 523-6677

Attorneys for Plaintiff, Dorothy Stanley, Executrix of the Estate of Helen A. Runge

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the foregoing document was served upon the attorney of record for each party by electronic transmission.

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Dated: September 19, 2007 /s/ Glenn R. Davis Glenn R. Davis

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County of Suffolk The Superior Court

and that the

CIVIL DOCKET# SUCV2005-04934

Helen A Runge VS.

Kerry L Bloomingdale MD

*(1) For the plaintiff(8) Veler Runge

of liability appropriate for judicial inquiry.

FINDING OF THE MEDICAL MALPRACTICE TRIBUNAL

(Pursuant to M.G.L. Chapter 231, Section 60(b) as amended)

The above entitled action came on for hearing before the appointed medical tribunal on 09/07/2007, and was argued by counsel, and thereupon, upon consideration thereof, the plaintiff(s) offer of proof, pleadings, hospital records and other documents presented, the tribunal finds:

evidence presented if properly substantiated is sufficient to raise a legitimate question

*(2) For defendant(s)		because the
plaintiff(s)		action is merely
an unfortunate medical r	esult.	
If a finding is made for the	ne defendant or d	defendants in the above entitled action
the plaintiff may pursue the c	laim through th	e usual judicial process only upon filing
bond in the amount of Six Th	ougand (\$6 000	.00) Dollars in the aggregate secured by cash
or its equivalent with the Close!	Mogiatrata of this	court possible to the aggregate secured by cash
in acid action for costs access	viagistrate or this	court, payable to the defendant or defendants
in said action for costs assesse	a, including with	ess and expert fees and attorneys fees if the
plaintiπ(s) does/do not prevail in	n the final judgme	ent. The presiding justice may, within his/her
discretion, increase the amount	of the bond requ	uired to be filed. If said bond is not posted
within thirty (30) days of the t	ribunal's finding	g the action shall be dismissed. Upon
motion filed by the plaintiff(s), a	nd a determination	on by the court that the plaintiff(s) is/are
indigent said justice may reduce	the amount of t	the bond but may not eliminate the requirement
thereof.	s the amount of t	the bond but may not eliminate the requirement
thorour.	Notice sent: 0	09/11/07
Dated: 09/07/2007	G.R.D.	77 227 01
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	K.S.G.	- 1
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	M.W.	Associate Justice of the Superior Court Dept.
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	G.C.R.	Attorney -/Tribunal Member
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Medical Member:	W.E.M.E.&D.LLP	
	B.J.G.	*Physician - Tribunal Member
	B.J.G.& ASSOC.	
*strike inapplicable words	•	
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Case 1:05-cv-10849-ROSIMPAWARITH 196 Massachusetts 2007 County of Suffolk

The Superior Court

CIVIL DOCKET# SUCV2005-04934

Helen A Runge

VS.

Sunbridge Nursing and Rehabilitation Center

FINDING OF THE MEDICAL MALPRACTICE TRIBUNAL

(Pursuant to M.G.L. Chapter 231, Section 60(b) as amended)

The above entitled action came on for hearing before the appointed medical tribunal on

plaintiff(s) offer of proof, pleadi	y counsel, and the ngs, hospital reco	ereupon, upon o ords and other d	consideration thereof, the locuments presented, the
tribunal finds:	ν,		
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of liability appropriate fo	r judicial inquiry.		to raise a regimmate question
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within thirty (30) days of the t	. Or the bond requ ribunalis finding	the action cha	II said bond is not posted
motion filed by the plaintiff(s), a	<u>nd a determinatio</u>	n by the court the	not the plaintiff.
indigent said justice may reduce	the amount of the	n by the court the	nature plaintin(s) is/are
thereof.	, are amount or tr	ie bond but may	/ not eliminate the requirement
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Medical Member:	M.C. W.E.M.E.&D.LLP_	, X,	Key in
	B.J.G.		*Physician - Tribunal Member
	B.J.G.&ASSOC.	*Health Ca	re Provider - Tribunal Member
*strike inapplicable words			
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